

THE
T R Y A L
AND
S E N T E N C E
OF

Elizabeth Cellier ;

FOR
WRITING, PRINTING, and PUBLISHING,
A SCANDALOUS

L I B E L,

CALLED

Malice Defeated, &c.

At the Sessions in the *OLD-BAILEY*, held *Saturday*
the 11th. and *Monday* the 13th. of *Sept.* 1680.

WHEREUNTO

Is Added Several **DEPOSITIONS**, made
before the Right Honorable, the *LORD MAYOR*.

L O N D O N,

Printed for *Thomas Collins*, at the *Middle-*
Temple-Gate. 1680.

September 13th. 1680.

I Do appoint *Thomas Collins* Stationer, to
Print the Tryal of *Mrs. Cellier* at the
Sessions, and that no other do presume to
Print the same.

ROBERT CLATTON Mayor.

No 40
J. 1680

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THE
T R Y A L
O F
Elizabeth Cellier, &c.

Cl. of Cr. **M**RS. Cellier, look to your Challenges; for the Jury that is to be Sworn, is to pass upon you.

Cellier. Am I for my Life?

Cl. of Cr. No, but look to your Challenges.

Ld. Mayor. But if you Challenge, you must give a reason for it, *Mrs. Cellier.*

Cl. of Cr. Swear *John Ainger.* (Which was done.) Swear *Richard Boys.*

Cellier. I Challenge him.

Ld. Mayor. Mrs. Cellier, you must shew a Cause for your Challenge.

Cellier. I did not know that, my Lord.

Mr. Baron Weston. You can Challenge none in this Case without a Cause.

Cellier. My Lord, I did not know that, then I agree he shall be Sworn. (Which was done.)

Then the rest of the Jury without any more Challenges were Sworn: And they were all as follows:

J U R Y.

John Ainger.

Richard Boys.

John Stephens.

Thomas Phelps.

Gilbert Urwin.

Edward Allanson.

Richard Liveing.

John Coggs.

Henry Hodgden.

John Barnard.

Edward Low.

James Southern.

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Then

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Then Proclamation was made in Common Form for Information, and the Clerk Charged the Jury thus:

Cl of Cr. You Gentlemen that are Sworn *Elizabeth Cellier* stands Indicted by the Name of *Elizabeth Cellier*, Wife of *Peter Cellier*, of the Parish of *St. Clement Danes*, in the County of *Middlesex*, Gent. For that she being of the Popish Religion, not having the fear of God before her Eyes, but being moved and seduced by the Instigation of the Devil, falsely and maliciously endeavouring and intending our Sovereign Lord King *CHARLES* the Second that now is, and the Government of this Kingdom of *England*; as also the true Protestant Religion within this Kingdom of *England* by Law Established, to bring to hatred and contempt; And also to bring Scandal and Infamy upon divers Persons produced as Witnesses, that gave Evidence on the part and behalf of our Sovereign Lord the King, against her the said *Elizabeth Cellier*, and other Persons Indicted of High Treason, the 1st. of *September* in the 32th. year of our Sovereign Lord King *CHARLES* the Second that now is; at the Parish of *St. Clement Danes* in the County of *Middlesex* aforesaid, Falsely, Maliciously and Seditiously, did Write and Publish, and did cause to be Writ, imprinted and published, a Scandalous Libel Intituled *Malice Defeated, or a Brief Relation of the Accusation and Deliverance of Elizabeth Cellier*; wherein her proceedings both before and during her Confinement, are particularly related, and the Mystery of the *Meal-Tubb* fully discovered; together with an Abstract of her Arraignment and Trial, written by herself for the satisfaction of all Lovers of undisguised Truth. In which said Libel, are contained these False, Feigned, Scandalous Words and Figures following, to wit, *I hope it will not seem strange to any honest and Loyal Person of what way or Religion soever, That I being born and bred up under Protestant Parents should now openly profess myself of another Church; meaning the Church of Rome;* For my Education being in those times, when my own Parents and Relations, for their Constant and Faithful Affection to the King, and Royal Family, were persecuted, the King himself murdered, the Bishops and Church destroyed, the whole Loyal Party meerly for being so, oppressed and ruined; and all, as was pretended by the Authors of these Villanies for their being Papists, and Idolaters, the constant Character given by them to the King and his Friends to make them odious, they assuming to themselves only the Name of Protestants, making that the Glorious Title by which they pretended right to all things. These sort of proceedings, as I grew in understanding, produced in me more and more horror of the Party that committed them, and put me on inquiry into that Religion to which they pretended the greatest Antipathy, wherein, I thank God, my innate Loyalty not only confirmed, but encouraged me. And let Calumny say what it will, I never heard from any Papists, as they call them, Priest, nor Lay-man, but that they and I, and all

all true Catholicks owe our Lives to the Defence of our Lawful King, which our present Sovereign CHARLES the Second is, whom God long and happily preserve so. These sorts of Doctrines agreeing to my publick Morals, and no way, as ever I was taught, contradicting my private Ones, commending at the same time to me Charity and Devotion, I without any Scruple have hitherto followed, glorying to myself to be in Communion with those who were the humble Instruments of his Majesties happy Preservation from the fatal Battle at Worcester; and who, tho poor, no temptation could invite to betray him to those who by a pretended Protestant Principle, sought his innocent Blood. These Truths I hope, may satisfie any indifferent Person in my first Change; nor can they wonder at my continuance therein, notwithstanding the horrid Crimes of Treason and Murder laid to the Charge of some Persons considerable for their Quality and Fortunes in that Party: for when I reflected who were the Witnesses, and what unlikely things they deposed, and observed that many of the chiefest Sticklers for the Plot, were those or the Sons of those, that acted the Principal parts in the last Tragedy, which History told me too had the Prologue of a pretended Popish Plot; I say, these things made me doubtful of the whole, and the more I searched for truth, the more I doubted that the Old Enemys of the Crown were again at work for its destruction. I being fully confirmed in this, thought it my duty through all sorts of hazards, to relieve the poor imprisoned Catholicks, who in great Numbers were lockt up in Goals, starving for want of Bread: and this I did some Months before I ever saw the Countess of Powis, or any of those honourable Persons that were accused, or receiving of one penny of their money directly or indirectly, till about the latter end of January (78.) And in another part of the said Libel are contained these false feigned and Scandalous Words and Figures following; to wit, About this time I went daily to the Prisons to perform those Offices of Charity I was obliged to, and on Thursday January the 9th (78) I dined in Newgate in the Room called the Castle on the Masters side Debtors, and about four in the Afternoon I came down into the Lodge with five women, of which, three were Protestants, and we all heard terrible Groans and Squeeks, which came out of the Dungeon called the Condemned Hole. I asked Harris the Turn-Key what doleful Crie it was. He said it was a Woman in Labour. I bid him put us into the Room to her, and we would help her. But he drove us away very rudely, both out of the Lodge and from the Door. We went behind the Gate and there listned, and soon found that it was the voice of a Strong-man in Torture, and heard as we thought between his Groans the winding up of some Engine. These Cries stopt the Passengers under the Gate, and we six went to the Turners Shop without the Gate, and stood there amazed with the horror and dread of what we heard, when one of the Officers of the Prison came out in great haste, seeming to run from the Noise. One of us catch'd hold of him saying, Ob! what are they doing in the Prison? Officer. I dare not tell you. Mistriss. 'Tis a man upon the Rack. He lay my life on't. Officer. It is something like it. Cellier. Who is it? Prance? Officer. Pray, Madam do not ask me, for I dare not tell you.

you. But it is that I am not able to hear any longer. Pray let me go. With that he ran away towards Holborn as fast as he could. We heard these Groans perfectly to the end of the Old Bayley. They continued till near seven of the Clock, and then a person in the Habit of a Minister, of Middle Stature, Grey-haired, accompanied with two other men; went into the Lodge. The Prisoners were lockt up, and the outward door of the Lodge also, at which I set a person to stand, and observe what she could, and a Prisoner loaded with Irons was brought into the Lodge, and Examined a long time. And the Prisoners, that came down as low as they could, heard the Person, examined with great Vehemency say often, I know nothing of it, I am Innocent, he forced me to bely myself, what would you have me say? Will you Murder me because I will not bely myself and others. Several other such like expressions they heard spoken as by one in great Agony. About four of the Clock next morning, the Prisoners that lay in a place above the Hole heard the same Cry again two hours, and on Saturday morning again, and about eight a Clock that morning a Person I employed to spie out the truth of that Affair, did see the Turn-Keys carrying a Bed into the Hole. She asked who it was for: they told her it was for Prance who was gone mad, and had tore his Bed in pieces. That night the Examiners came again, and after an hours Conference Prance was led away to the Press-Yard. This and many things of the like Nature, made me very inquisitive to know what past in the Prison. Soon after this Francis Corral a Coachman that had been put into Newgate upon suspicion of carrying away Sir Edmond-Bury Godfrey's Body, and lay there thirteen Weeks and three days in great misery, got out. I went to see him, and found him a sad Spectacle, having the flesh worn away, and great holes in both his Legs by the weight of his Irons, and having been Chained so long double, that he could not stand upright, he told me much of his hard and cruel usage, as that he had been Squeez'd and hasped into a thing like a Trough, in a Dungeon under ground; which put him to inexpressible torment, insomuch that he soonded, and that a Person in the habit of a Minister stood by all the while. That a Duke beat him, pull'd him by the Hair, and set his drawn Sword to his breast three times, and swore he would run him through; and another great Lord laid down a heap of Gold, and told him it was five hundred Pounds, and that he should have it all, and be taken into the aforesaid Dukes house, if he would confess what they would have him; and one F. a Vintner, that lives at the sign of the Half-moon in Ch-fi, by whose contrivance he was accus'd, took him aside, and bid him name some person, and say, they employ'd him to take up the dead body in Somerset-yard, and gave him money for so doing; that if he would do this, both F. and he, should have money enough. He also told me, that he was kept from Thursday till Sunday without victuals or drink, having his hands every Night Chain'd behind him, and being all this time lock'd to a Staple which was driven into the Floor, with a Chain not above a yard long: that in this great extremity, he was forc'd to drink his own water; and that the Jaylor beat his Wife, because she brought victuals, and prayed that he might have it, and threw Milk on the ground, and bid

bid her be gone, and not look at him. And in another part of the said Libel is contained (amongst other things) these false, fained, and Scandalous words and Figures following, to wit, *My Arraignment (which in Confidence of my own Innocency I continually press'd for) not but that I knew the danger, as to this life, of Encountering the Devil in the worst of his Instruments, which are Perjurors encouraged to that degree as that profligated Wretch (meaning Thomas Dangerfield produced as a Witness against her for High-Treason) was, and hath been since his being Exposed to the World in his true Colours, both at mine, and anothers Trial.* And in another part of the said Libel are contained these false feigned and Scandalous words and Figures following, *Nor have I since received anything towards my Losses, or the least Civility from any of them, whilst Dangerfield (meaning the said Thomas Dangerfield) when made a Prisoner for apparent Recorded Rogueries was visited by, and from Persons of considerable Quality, with great Sums of Gold and Silver, to encourage him in the new Villanies he had undertaken, not against me alone, but Persons in whose safety, all good men, as well Protestants, as others in the three Kingdoms, are concerned.* And in another part of the said Libel called, *A Postscript to the Impartial Readers,* are contained these false, feigned, and Scandalous Words following, to wit, *And whensoever his Majesty pleases to make it as safe and honorable, as it is apparent it hath been gainful, and meritorious to do the contrary; there will not want Witnesses to Testifie the truth of more than I have written, and Persons that are above being made the Hangmans Hounds for weekly Pensions, or any other Considerations whatsoever.* to the evil and dangerous Example of all others in the like Case offending, and against the Peace of our Sovereign Lord the King, his Crown and Dignity. Upon this Indictment she hath been Arraigned, and thereunto hath Pleaded, *Not Guilty,* and for her Tryal hath put her self upon the Country, which Country you are, so your Issue is to try, whether she be Guilty of this Offence, in manner and form wherein she stands Indicted, or not Guilty. If you find her Guilty, you are to say so, and if you find her Not Guilty, you are to say so; and no more; and hear your Evidence.

Then Robert Dormer Esquire of Lincolns-Inn, open'd the Indictment thus.

Mr. Dormer. May it please your Lordship, and you Gentlemen of the Jury. *Elizabeth Cellier* the Gentlewoman at the Bar, the Wife of *Peter Cellier* of the Parish of *St. Clemens Danes* in the County of *Middlesex* Gentleman, stands Indicted of being the Author and Publisher of a Libel Intituled, *Malice defeated, or a brief Relation of the Accusation and Deliverance of Elizabeth Cellier.* You have heard the Indictment Read, wherein some Clauses of this Libel

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are Recited in the words they were written, and in Mrs. *Celliers* own words, and in other words, I will not undertake to repeat them to you.

Gentlemen, this is a Libel so Complicated and General, that within this Book are contained as many Libels of several Natures, and against different Persons and Orders of men as there are Paragraphs, his Majesty, the *Protestant* Religion, our Laws, Government, Magistrates, Councillours of State, Courts of Judicature, the Kings Evidence, and the Publick Justice of this Kingdom are all Aspersed and Defamed, by the virulency and Malice of this Womans Pen.

She hath Charged upon the Principles of our Religion, the Murther of his Late Majesty, and the greatest Impieties that ever were Committed.

She accuseth all that have done their Duties, or been Active in the Discovery of the present Popish-Plot, to be Enemies of the Crown; and to be Acting over again the Tragedy of our Late Civil-War.

She Chargeth our Laws with Cruelties, as Inhumane, as they are false, in permitting Prisoners to Starve under their Confinement, in admitting of Racks and Tortures to be used, and that for the worst purposes, thereby to extort Perjuries and false Evidence against the Innocent; to which she would make Persons of the best Quality of our Nobility, Magistracy, and Clergy, Privies, and Parties.

She Libels the King's Evidences under the Characters of the Devils Instruments, and the Hangmans Hounds, and Defames his Majesties Government, in saying it is not safe to speak Truth, but Meritorious and Gainful to do the Contrary.

She will appear to you to be so Criminal, that nothing can aggravate her Offences, unless the Impudence of the Delinquent, who hath set her Name to almost every Page of this Scandalous Libel; and since the Indictment hath been depending, Owned, Published, and put a value on her self, for being the Author of so Excellent a Book.

To the Indictment, She hath pleaded Not Guilty, if the Kings Evidence prove the Charge, you are to find her Guilty.

Mr. *Bar. Weston*. Gentlemen, the Charge is but this, First she is Charged with the setting forth this Book, in the next place there are several Clauses in that Book, which she is particularly Charged with. Now that which the Evidence will prove must be, First, that the Book was Owned by her, and Published by her, and then that these particulars Charged in the Indictment were in the Book; and then you will receive the Directions of the Court, of what nature the Proofs are. Go on to the Evidence that is your Work, fall to your Proof.

Mr.

Mr. *Dormer*. My Lord, We will call our Witnesses.

William Downing, John Penny and Robert Stevens. (who appeared, and were Sworn.)

Mr. *Dormer*. *Will. Downing*, Do you tell my Lord, and the Jury what you know of the Printing of this Libel : (shew him the Libel,) And who brought the Sheets to the Press.

Mr. *Downing*. My Lord, about the 22^d or 23^d of *August*. —

Mr. *Bar. Weston*. Begin with *Penny* first. Pray what say you to that Book?

Mr. *Penny*. My Lord, I was bid to buy a Book of that Gentlewoman, and I did so. I asked for her by her Name.

Mr. *Bar. Weston*. By what Name?

Mr. *Penny*. Mrs. *Cellier*.

Mr. *Bar. Weston*. Is that the Gentlewoman?

Mr. *Penny*. Yes, that is the Gentlewoman. And she came out to me, and asked what my Errand was, I told her it was to have a Book; that you may have, said she, if you please. Madam, said I, what is the Price? Two shillings, said She. Cannot I have them Cheaper, said I? No, said She, I sell them to Shopkeepers for 18 s. a Dozen, and I must not sell them under here. With that She fetch'd me a Book, and I gave her Two Shillings, and when She had done, She gave me another little Paper.

Mr. *Bar. Weston*. That is not in Issue, nor your Question now. Did you ask her for the Book she published and set out?

Mr. *Penny*. Yes, and she did acknowledge that was her Book.

Mr. *Bar. Weston*. What, she did own the Book she sold to you, to be hers?

Mr. *Penny*. This is the Book I have in my hand, and I markt every Sheet of it. And she told me there was another little Sheet to be added to it, and if any Gentleman pleased to send it into the Country, that might be put up in a Letter to send by the Post.

Cellier. May I ask him a Question?

Mr. *Bar. Weston*. Tell me your Question and I'll ask it.

Cellier. I desire to know if I said any more than you may have a Book, or there is a Book. And who asked for a Book?

Mr. *Bar. Weston*. Did she say any more than you may have a Book, or this is the Book that I have published?

Mr. *Penny*. When I got the Book and paid for it, I turned about again, and asked her if it was her own. She told me it was, and more than that, if occasion were she could have put more in it.

Mr. *Bar. Weston*. Why Mrs. *Cellier*, you did not deny this Book yesterday, for you may remember when you did say, you wanted your Witnesses, and if you could but have time to bring them, you would prove the Truth of it. We told you, you had nothing to prove on this Issue of Not Guilty, but that some body else did publish the Book,

Book, and you did not. You owned you writ it your self every word with your own hand.

Cellier. My Lord, If I was a foolish vain Woman, and did seem to speak some vain words about my self, which I did not understand the Consequence of, I hope a word vainly spoke by me, shall not be brought against me to convict me of a Crime.

Mr. Bar. Weston. Mrs. *Cellier*, you do not seem so negligent about your self, that we may not believe what you say of your self.

Cellier. But vain foolish words spoke in that nature, I hope, shall be no Evidence against me.

Mr. Bar. Weston. But however it is prov'd against you.

Cellier. Did I say I writ it?

Mr. Penny. You told me that was your Book.

Cellier. I told you? Pray my Lord, put one Question to him upon the Oath he hath taken; did I say any more, than it was mine and I sold it, not that I writ it, or was the Author of it.

Mr. Bar. Weston. Mrs. *Cellier*, This is a Book that is Intituled with your Name, and sold by your self: Now in any ones Judgment, this is both an owning of the Book, and publishing of the Book. When you Sold it, you gave it out as your Book, and it hath in the Title Page your Name, as the Author of it.

Cellier. My Lord, if I could have produced my Witnesses, I could have made my defence: they have been at several places for them, they have been all about Town, and several ways, at Sir *Joseph Sheldon's*, and a great many other places, and can find none of them.

Mr. Bar. Weston. To what purpose should your Witnesses come?

Cellier. I should with them have made my Defence.

Mr. Bar. Weston. If you would have said to us yesterday, that you had Witnesses to prove that any one else writ the Book, we would have put off the Tryal. But you said you writ it every word of it your self, and so owned the Issue; but now you pretend you want Witnesses, to what purpose would you have them come?

Cellier. 'Tis not the honour of the Bench, my Lord, to give Evidence, and I hope you won't take that advantage of my vain words.

Mr. Bar. Weston. 'Tis the honour of the Bench, to repeat what you say; when you ask time to put off your Tryal, and the Court gives you direction to what purpose Witnesses may be used, and you renounce that and take the Fact upon your self.

Cellier. But I hope that is no Evidence.

Mr. Bar. Weston. It was spoken openly in the Court, every body heard it.

Cellier. I am surprized and have no witnesses.

Mr. Bar. Weston. 'Tis easie to pretend that you want Witnesses, but to what purpose would you have them?

Cellier. My Lord, I hope you will please to remember, he Swears, I said only it was mine, not that I was the Author.

Mr. Att.

Mr. Att. Gen. If you Sold it, that is a Publishing in Law, and is within the Indictment.

Cellier. But he did not say I writ it.

Mr. Bar. Weston. Pray *Mrs. Cellier*, don't trust your self upon that, for he said after he had it, he asked you, is this your Book? You said, yes, it is my Book, and if I had been aware, I could have put a great deal more in it than I have done.

Cellier. But I did not say I writ it.

Mr. Penny. You said if it were to be writ again you could put more in it.

Cellier. I said it was my Book, and so it was, because it was in my possession, but not that I writ it. This is my Fan, but it does not follow that I made it.

Mr. Bar. Weston. But the Question was concerning the Author of the Book.

Cellier. He did ask me no such Question. Did you ask me if I was the Author?

Mr. Penny. No, I did not.

Mr. Bar. Weston. But what did you ask her?

Mr. Penny. I asked her whether it were her Book.

Mr. Bar. Weston. And did she own it?

Mr. Penny. Yes, she did.

Cellier. So it was mine, in possession.

Mr. Bar. Weston. Did you mean by your Question whether that Book was hers in property, or she were the Author and Publisher of it?

Mr. Penny. I would know whether it was hers or no.

Mr. Bar. Weston. But what was your intention in asking, was it whether She or any other Person made it?

Mr. Penny. I don't know who made it, She told me it was hers.

Mr. Bar. Weston. But what was your meaning in it?

Mr. Penny. My intentions was for fear she should have given me some other Book, to know whether it was Writ by her or no.

Cellier. My Lord, I am not to be judged by his meaning, but by his Question and my Answer.

Mr. Att. Gen. Did she tell you she Sold more of them?

Mr. Penny. I turned about when I had the Book, and said I, can I have, if occasion be, any more; she said she had but 4 or 500 left, and in a few Days she should have more.

Mr. Att. Gen. You told us, she told you what she Sold them for by the Dozen.

Mr. Penny. Yes, 18 s. the Dozen to the Shopkeepers.

Mr. Bar. Weston. Then set up *Downing*. (which was done,) Pray look upon that Book and the Title of it. (which he did,) Have you Examined that Book?

Mr. Downing. Sir, I Printed part of it.

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Mr. Bar.

Mr. Bar. Weston. But have you Examined that very Pamphlet?

Mr. Downing. Yes, I know it very well.

Mr. Bar. Weston. Did you Print part of it?

Mr. Downing. Yes, I did.

Mr. Bar. Weston. Who brought it to you to be Printed?

Mr. Downing. Mrs. Cellier.

Mr. Bar. Weston. She her self?

Mr. Downing. My Lord, about the 22^d. of *August*, a Messenger came to me from Mrs. Cellier, to tell me She had something to be Printed, and She sent for me to her House, and I went to her House in *Arundel Buildings*. She told me She had a Book to Print, and it was her own Case. I told her I was a stranger to her Concerns, if there was nothing in it that was Offensive, I would Print it. She told me there was nothing but the Truth and I might safely do it. She said she had been publickly and wrongfully abused, and was resolved to publish her Case, and would make the World sensible of the wrong She had sustained. I was apt upon the plausibleness of her Discourse to believe her, and so I agreed with her to have 10 s. a Ream for Printing, and I was to Print Four Ream of every Sheet. And having Printed half the Book, the Messenger found it a Printing at my House, and having thus found out the Press he carried it before the Secretary, Sir *Leoline Jenkins*, who granted a Warrant to bring us both before him; and having taken our Examinations, we were bound to appear before the Privy-Council as soon as Notice should be given us of it: And being discharged by the Council we were bound to appear the First day of next Term in the *King's-Bench*: Since which time She hath Printed t^other half of her Book at some other place. And whereas She promised to Indemnify me from all Trouble and Charge, when I came to pay the Clerk of the Council his Fees, She refused to pay them for me, and told me I had betrayed her; and so notwithstanding her promise, I was obliged to pay the Fees my self at the Council.

Mr. Dormer. Pray Sir, who was it Corrected the Sheets?

Mr. Downing. Sir, They were brought to her.

Mr. Dormer. Did she read them and Correct them?

Mr. Downing. Yes, She looked over them.

Mr. Bar. Weston. Pray tell me how far it was you Printed of the Book.

Mr. Downing. It was to Folio 22.

Mr. Bar. Weston. All the Clauses in the Indictment are contained in those Pages.

Mr. Clare. All but the last in the Postscript.

Mr. Bar. Weston. Have you read it over since?

Mr. Downing. So far my Lord, I did Print.

Mr. Bar. Weston. You take it upon your Oath, That to the 22^d. Folio of that Book that was given in Evidence, was Printed by you by her direction.

Mr. Downing. Yes, I do.

Mr. Bar.

Mr. Bar. Weston. Then set up *Stevens*. (which was done.)

Mr. *Stevens*. May it please your Lordship, I saw this Book a Printing at Mr. *Downings*, and reading some Passages in it, I asked him, Mr. *Downing*, do you know what you do? he said, it was a Truth; then I asked him who he did it for, he said he did it for Mrs. *Cellier*; I bid him have a care that he did no more than what he could justifie. He desired me that I would not hurt him, and I was loth to do a poor man wrong, but away I went to the Secretary, but I asked him before, what was become of the Sheets, he said he carried them to Mrs. *Cellier*, said I, did she bring you the Copy, said he, she sent it sometimes by one Messenger, sometimes by another for she sent several, and when I came to her, she did tell me it was her Book, and that she kept a man to write it, and she Dictated it to another that fate by her, and she often owned it was her Book, and she the Author of it.

Cellier. I never said so in my life.

Mr. *Stevens*. Mrs. *Cellier*, by the same Token when you sent for Bail, you had occasion to write a Note, and I saw you write it, and said, I now find 'tis none of your hand-writing by the difference between the Note and the Copy. Said she, I know that well enough, but I keep a man in the house to write it, and I Dictated to him, and he wrote. And I have seen there one *Grange* and one *Sing*, but *Grange* hath come to me several times about hers and other business, and she did tell me she did Dictate the Book to that man, and paid him for writing it. Says she I am up very early every morning, and preparing and Dictating things for the Press. She hath put out two sheets since, and this day at One a-Clock she hath invited the *Mercuries* and the *Hawkers* to come and receive a New Pamphlet.

Mr. Bar. Weston. Do you know her Hand-writing?

Mr. *Stevens*. I have not that Note by me.

Mr. Bar. Weston. Did you see the Copy?

Mr. *Stevens*. Some part of it I did see.

Mr. Bar. Weston. Was it any part of it of her Hand-writing?

Mr. *Stevens*. No, I believe it was none of her hand.

Mr. Bar. Weston. Was it several hands?

Mr. *Stevens*. I saw but one part of the Copy, and that was all of one hand, but not hers, I believe. She said, she kept a man to write it, and she had several other things for him to write to be Printed.

Mr. Bar. Weston. Did she before you, affirm her self to be the Author of the Book.

Mr. *Stevens*. She did (if it please you) before the Secretary, and before the Council; and said she would Answer it. And I have seen her likewise sell several of them several days.

Mr

Mr. *Dormer*. Did she deliver any of these Books that you know of?

Mr. *Stevens*. I have seen her deliver them out, several times before me my self, she can't deny it.

Mr. *Bar. Weston*. Compare the Book with the Indictment.

Mr. *Dormer*. Swear Mr. *Fowler*. (which was done.)

Mr. *Bar. Weston*. What is that *Fowler* ?

Mr. *Dormer*. Shew him the Book if you please. (which was done)
Did you Buy any of those Books of Mrs. *Cellier*.

Mr. *Fowler*. I bought two of them. I went to her house, and told her I had a Letter from a friend out of *Oxfordshire*, that desired me to buy two of her Books.

Mr. *Dormer*. Is that the same in your hand ?

Mr. *Fowler*. 'Tis the same as I believe. Some friends came to my house, and told me they had seen me notoriously in Print, so I came to her, and told her I had a Letter out of *Oxfordshire* for a Book or two of hers. Sir says she, He fetch you one presently, she comes again with them. Madam says I, I believe you have forgotten me.

Cellier. I know you not, I never saw you in my life before.

Mr. *Fowler*. No I believe not, but yet you could put me in your Book.

Mr. *Bar. Weston*. Why, what is your Name?

Mr. *Fowler*. My name is *Fowler*.

Mr. *Bar. Weston*. Where do you live?

Mr. *Fowler*. At the half-Moon Tavern in *Ch-Si*, when I am at home?

Cellier. Your name is not in the Book.

Mr. *Clare*. There is one *F.* that keeps the half-Moon Tavern in *Ch-Si*.

Mr. *Bar. Weston*. You Swear you had two Books of her?

Mr. *Fowler*. Yes. Madam, says I, I see you are full of business, so I paid her 4 s. for them, and away I came.

Mr. *Dormer*. Then you had no Discourse with her farther, who was the Author, had you?

Mr. *Fowler*. No not a Syllable farther. I had only occasion to get a couple of books; for some persons of Quality had been at my house, and told me my Name was in it, and were pleased to Joke with me about it, as particularly, Mr. *Henry Killigrew* came one day to my house, and called me into the Room, says he you are notoriously in Print, and known to be Company for a great Duke, and great Lords, you shall Drink a Glass of Wine now with me, and so tells me the Story; and thereupon I went to her house to buy a couple of books.

Mr. *At.*

Mr. At. Gen. You are the man meant by the (F.)

Mr. Fowler. I keep the half-Moon in *Cheapside*.

Mr. At. Gen. There is something supposed in this Book to be done by you, at your going to a man in Prison, is that true?

Mr. Fowler. That I suppose is cleared by an Oath from *Corral* the Coachman, but withal I gave my Oath for it before my Lord Mayor, my self.

Mr. At. Gen. Pray, for the Satisfaction of People, tell us what you know of the matter.

Mr. Fowler. The substance of my Oath before my Lord Mayor was this, That I never was with any Great people, as they Tax me, in my life, with any great Duke or Lord, that I never did see any of the things that they say there, that the Duke should draw his Sword, and a Lord proffer 500 *l.* or I Whisper to the Coachman, that he should name some great Persons, and then he and I should have money enough.

Mr. Bar. Weston. But I come nearer to you with a Question, Mr. Fowler.

Mr. Fowler. Yes, my Lord, if you please.

Mr. Bar. Weston. Was one *Corral* a Coachman apprehended for carrying away the dead body of Sir *Edmond-Bury Godfrey*, at your motion and accusation.

Mr. Fowler. As to that I will tell you the Occasion of all our Discourse, if it may not be too tedious. Upon the Death of Sir *Edmond-Bury Godfrey*, a Coachman was one day called to carry some Gentlemen that were in my house; but they staying a little longer than ordinary he went away, and as they say drop'd them, thereupon another Coachman was called, which was this *Corral* mentioned in this Libel, and he went up to the Gentlemen into the Room; and they to engage him to stay, secured his Whip, he comes down and begs a Pipe of *Tobacco* of my Wife in the Bar, ay, said she, thou lookest like a good honest Fellow, and I believe thou hast no hand in the Plot, a Casual word that was passant at that time, whereupon he begins to tell her, it was very well for him, for he had escaped that danger: four of them meeting him against *St. Clemens Church-wall*, and Swearing Dam them he should stand, and do as they would have him; and he saw four and he saw Sir *Edmond-Bury Godfrey's* body in a Sedan, and he sham'd upon them, that he could not carry him, for that the Axle-Tree of his Coach was broke. I was in a Room by the Bar, and I over-heard the Fellow talk after this Rate, I came out, and asked him, said I, are you sure of this, then he tells me the same Story over again, whereupon I began to ask him if he were a Master for himself, or Drove for another; the Fellow being sensible he had been too lavish in his Discourse, pretends to light his Pipe in haste, and to run out to see whether the Seats of his Coach were not stolen out, and I took a Candle with me, and went after him to take the Number of his Coach: by that time I got to the Door, he was driving away, though he had left his Whip with the Gentlemen, as Security for his stay. I come

in, set down the Number of his Coach in my Book, and drew up the substance of their Discourse that hapned between my Wife and him; and I was saying to my Wife I had a mind to stop this Fellow at the Gate, but it rained; and so I did not, only kept the Number of his Coach. The next day Captain *Richardson*, and the Secondary of the *Counter* were Drinking a Glas of Wine at my house, where I told them the Story, and they blamed me that I had not stopped him. Whereupon Captain *Richardson* took the Number of his Coach, and the next day sent his Janizaries abroad, and secured him, and kept him in Custody for two or three days.

Mr. *Bar. Weston*. When was this?

Mr. *Fowler*. Two or three days after the Murder was publickly known of, I think, it was *Tuesday* Night that this Fellow told me the Story, to the best of my remembrance; and the next day I told the Captain and the Secondary.

Mr. *Bar. Weston*. Was that the next *Tuesday* after the Murder, or the *Tuesday* sevensnight?

Mr. *Fowler*. It was the *Tuesday* sevensnight after. They blamed me very much that I did not stop the Fellow, I told them how the thing was, and the Captain sent his people abroad, and took the Coachman up by what marks I gave of him. The next day I was Ordered to wait upon the Lords at *Wallingford-House*, where was the Duke of *Buckingham*, my Lord *Shaftsbury*, the Marquess of *Winchester*, two other Lords and Major *Wildman* the Secretary, where they Examined me upon this thing, and what I have declared to your Lordships, I declared then. And they brought the Fellow in Face to Face; and there he does Confess the whole matter, and made a great whining and clutter, that *John* such an One, a Coachman, and Mrs. such an one, a Strong-water Woman told him this, and that, and t'other. The Lords sent for two of the Persons he named, and both of them being brought before them, the Lords were very well satisfied, in that One of them keeps a Victualling House, and they were both of good Reputation, they were satisfied it was only a Sham, and that he only Named them as the first Persons that came into his mind. Getting nothing out of him, my Lord Duke of *Buckingham* told him, Sirrah, if you will confess, there shall be nothing of what the King hath promised, but it shall be made good to you, you shall be sure of it, and you shall be protected. My Lord *Shaftsbury* told him the same, but withal, if he would not confess; and tell him who set him on Work, then nothing should be severe enough for him; or words to that effect.

Mr. *Bar. Weston*. Upon this Accufation, was he sent to Prison?

Mr. *Fowler*. He was Re-ordered to Prison, and there continued several Months.

Mr. *Bar. Weston*. Where? To what Prison?

Mr. *Fowler*. To *Newgate*.

Mr. *Bar.*

Mr. Bar. Weston. Were you ever in *Newgate* and saw him ?

Mr. Fowler. Never, not I.

Mr. Bar. Weston. Did you never see him but at this Chamber with the Lords, and at your own Tavern ?

Mr. Fowler. Never.

Mr. Bar. Weston. And you never were in *Newgate* in your Life with him ?

Mr. Fowler. No, not I.

Mr. Bar. Weston. Were you ever in *Newgate* with him with my Lord Duke of *Buckingham*, or my Lord *Shaftsbury*, or any other Lord ?

Mr. Fowler. No.

Mr. Bar. Weston. Or any other Duke whatsoever ?

Mr. Fowler. No.

Mr. Bar. Weston. Or any Lord or Nobleman whatsoever ?

Mr. Fowler. No, Except 4 Years ago with my Lord *Petre*.

Mr. Bar. Weston. There is no danger of him. But as to this Affair, were you ever with any ?

M. Fowler. No.

Mr. Bar. Weston. Did you see any Sword drawn, or money offered ?

Mr. Fowler. There was never any Sword drawn, nor money offered.

Mr. Att. Gen. Did you ever see 500 *l.* laid down upon a Table ?

Mr. Fowler. There was never any Sword drawn, nor Money laid down.

Mr. Bar. Weston. He answers that very fully, for he says he was never in *Newgate* with any Nobleman, but once with my Lord *Petre* Four years ago, and if he was with any Nobleman, he is accused to be there in the presence of a Duke, and another great Earl ; and that the Duke drew his Sword, and the other Nobleman laid down a great deal of Gold which he said did amount to 500 *l.* and told him it should be his, and that if he would accuse some other Persons, they would maintain him, and then he did draw the Fellow aside and tell him can't you name some body ? then you and I may have money enough. This is the Accusation of the Book, but now 'tis denied that ever he was in *Newgate* with any such Persons, which is consequentially a Denial of the whole Charge.

Cellier. I did not write that this was true, but I writ that the Fellow told me so.

Mr. Bar. Weston. We will see that in the Book in the first place. We have Examined this thing by the by, and tho' tis a little out of the way, yet it may be satisfactory, read the Book.

Cl. of Cr. *Malice Defeated*, &c.

Mr. Bar. Weston. Compare it with the Record, for She shall have a Fair Tryal, by the Grace of God.

Then

Then the several Clauses recited in the Indictment were read over again by the Clerk out of the Book, and compared by the Judge with the Record.

Mr. Bar. Weston. These are the Clauses in the Book that are proved Exactly upon you. Now I must tell you, because this Book doth cast a very great Infamy upon our Religion and on the whole Government, it ought to be taken Notice of; For in the first place to contrive to get a Man into Prison, and by Tortures to compel him even to commit Perjury, then to hale another Man to Prison, and have him thus barbarously used, as to have Nobles to come to him, one with a Sword drawn, another with Money in his hand laying it down as a temptation, and to force him to discover what he was not willing to confess; and then to lay Accusation upon the King that he makes it a thing of safety to be the Hangmans Hounds, and to be Accusers for Pensions, and shall aver that when it is as free for her to speak truth, as it is Meritorious for them to do otherwise; she will discover such and such things, is a slander that ought to receive a publick rebuke; and to satisfy the World of the untruth of it, I would have you prove if *Prance* be here and the *Coach-man*, what usage they received, to avert that publick Calumny that is cast upon the Nation. For let Mrs. *Cellier* know, She hath insinuated as tho the Murder of the late King was a sufficient Ground to pervert her from Protestantism, which avowed such practices, when all the World knows that at that time there were Protestants that were far better Subjects, and more Loyal than ever any Papist was in the World; and as great sufferers for their Opposition to that dreadful Villany, nay far more than the Papists can boast of for their Loyalty; whereas 'tis known they were Villains under hand all the while, and those that did encourage all that Roguery and set that Faction on Foot which brought things to that ill Period they came to. Therefore you have set a fair Outside upon a Damnable lye. And that the Arrantest Rebellious Rogues that ever lived under Heaven, are great Saints in Comparison of Protestants, no honest Man will believe.

Cellier. I say, they called themselves Protestants. I know the Protestants were great Sufferers for the King, and I my self felt it; our Family, which were Protestants, were several times stript and plundered for their Loyalty. I grant all this.

Mr. Bar. Weston. Do you? Then you are an impudent lying Woman; or you had a Villanous lying Priest that Instructed you to begin your Book with such a base Insinuation against the best of Religions. But I have no more to say to that, for that is such a visible Notorious Falsty to the knowledge of all *English* Men and People of understanding, that it needs no greater Conviction than the particular knowledge of those Men that lived in that time. Therefore

Therefore for that Lye let it go upon the Publick Infamy that attends on your Party, who are Notorious Lyers, and among whom Falshood does so much abound. Call *Correl* and *Prance*.

Mr. *Att. General*. We will give that satisfaction to the People; but the Jury are to know, that it does not at all concern the matter in issue. For when all that can be said by them is declared, I must say in point of Law, the Publishing of a *Libel*, though it be true, yet is a Crime, and deserves Punishment.

Mr. *B. Weston*. I told you so: But Mr. *Attorney*, we are to set a Fine, and to instruct us for the setting of the Fine, it will be a satisfaction to the Court, to disprove the things she alledges, if you have the Witnesses ready, but if you are not ready with your Proof, let it alone.

Mr. *Att. General*. They are order'd to be here, I only speak that by the way, Swear Mr. *Prance*. (*which was done.*)

Mr. *Bar. Weston*. Mr. *Prance*, Pray were you ever tortur'd in prison?

Mr. *Prance*. No, I never saw any such thing there in my Life.

Mr. *Bar. Weston*. How were you used?

Mr. *Prance*. Very well, I had every thing that was fitting; Captain *Richardson* did take great care of me.

Mr. *Bar. Weston*. The truth is, the very Book it self, implies, a contradiction. It says, there was one Tortured in the Prison, and the Roarings that they heard were like the Roarings of a strong Man in Torture; and yet, presently after, it says, that the Prisoner comes up in Irons, and is Examined: Now, Could any one having been so lately on the Rack be able to walk, and come to be Examined? any Man that knows what the Nature of a Rack is, knows also, that one that has been Tortured there, would not be able to heave the Irons upon his Legs, nor be able to stir or walke, but that is a thing not used amongst us: It was some Impudent lying Priest that durst venture to broach such a Calumny.

Cellier. I don't say it was, but it was so reported.

Mr. *Prance*. Dr. *Lloyd* was with me many times for half an hour together, and if any such thing had been, he would have seen it.

Then *Francis Corral* was called, but he did not appear.

Capt. Richardson. *Corral* they have got away, for I had him last night, and he was Ordered to be here to day, but here is his Wife, (*Who was Sworn.*)

Mr. *Baron Weston*. Good Woman, were you ever with your Husband in Prison?

Mrs. *Corral*. I was not suffered to come near him when he was of the Masters side.

Mr. *Baron Weston*. But when he was out of Prison, How did he tell you he was used? Did he tell you he was compelled to drink his own Piss?

Mrs. *Corral*. Sunday morning it was before I saw him, nay, I did not see him then, but I was called to bring him Victuals, or he would have been starved; nay, they said he would be dead before I brought him. So I carry'd him Bread and things, and I did not see him then till almost a Fortnight after; And when I saw him he had great Fetters on, and I was amazed at them. They put in some Char-Cole there to warm him, it being very cold, and, said I, Lord, What have you done, you have Murdered some Body sure? but they said, they put on those things to keep his Legs warm.

Cellier. Were you ever beaten at any time for bringing your Husband Victuals?

Mrs. *Corral*. No indeed, I was never beaten, but they would not suffer me to see him on the Masters side.

Lord *Mayor*. Her Husband hath denied all upon Oath before me.

Mr. *Baron Weston*. Was he ever hurt with Scrues, or any such thing?

Cellier. Had he not holes in his Legs?

Mrs. *Corral*. Yes, he had a great many; I did see holes in his Legs.

Mr. *Baron Weston*. Did you?

Mrs. *Corral*. I did see one, and I can bring them that brought Salve to heale it.

Captain *Richardson*. There is never an Iron in the House that I keep, that Weighs 12 l.

Mr. *Baron Weston*. They say, you have Irons called *Sheers*, that weigh 40 l.

Captain *Richardson*. If there be one, I'll be hang'd for it before I go hence.

Cellier. I hope I shall be allowed to make my defence, and call my Witnesses.

Mr. *Baron Weston*. Yes, to be sure.

Cellier. Did not you hear your Husband tell me, how heavily he was Fettered and used? That he was Chained to the Floor with a Chain not above a yard long? And was forced to drink his own water?

Mrs. *Corral*. Madam, he is not sensible many times what he does say.

Cellier. But, Did not you hear him tell me so?

Mrs. *Corral*. I can't remember.

Cellier. Did not you tell me, That Captain *Richardson* drove you away, and would not let you give Victuals to your Husband?

Mr. *Baron Weston*. All this is but over and above, for the great Matter that sticks upon your part, is the Death of Sir *Edmondbury Godfrey*, and you are pinch'd there with *Prance's* Evidence, and

so

so you would make the World believe, that he was Tortured into his Confession, and was Mad when he did it, that you may the better turn it off from your own Party, on some body else, on whom I don't know.

Cellier. Pray, my Lord, hear me one word; As to your saying, I do it to defend a Party, I profess I stand singly and alone; I have been so Barbarously used by those you call that Party, that the Protestants have been abundantly more kind to me then they. - And I would not tell the least Lye to do them any good turn Turn.

Mr. Baron Weston. Then you are an happy Woman indeed, that are beloved by both Parties. You have not been Serviceable alike to both I am sure, but that is no great matter; If so be the Protestants were so kind, you have requited them ill by such a Base *L I- B E L*.

Cellier. I say nothing against them.

Mr. Baron Weston. Can you say any thing that you did not make this Pamphlet?

Cellier. My Lord, I bee'nt bound to accuse my self, I desire it may be proved.

Mr. Baron Weston. I think it is fully proved.

Cellier. I cannot say any thing without my Witnesses, I desire I may call them.

Mr. Baron Weston. Call whom you will.

Cellier. I desire Gregory Grange may be called. (*Who was Sworn.*)

Mr. Baron Weston. What can you say for Mrs. Cellier? Tell me what Questions you will Ask him.

Cellier. I desire to know whether I did not send him to find Witnesses? Who he went for? What Answers they returned? And where they be?

Mr. Baron Weston. Well, What Witnesses were you sent to look for?

Grange. I went to look for one Mrs. Sheldon, that lives in Sir Joseph Sheldons House, and they told me she was in Essex. I went to the Coach to send for her.

Mr. Baron Weston. Why scoggin looked for his Knife on the House top.

Mr. Stevens. This Man did see her sell these Books.

Mr. Baron Weston. Who did you look for besides?

Grange. One Mr. Curtis. And his Wife said, She had not seen him since yesterday Morning.

Mr. Baron Weston. What were they to prove?

Grange. Truly my Lord I don't know.

Mr. Dormar. By the Oath you have taken, Do you know she hath sold any of these Books?

Grange. Yes, I do know that she hath Sold some of them.

Lord Mayor. There your own Witness, Mrs. Cellier, proves it against you.

Mr. Baron Weston. Who would you have else?

Cellier. I

Cellier. I desire that *Mary Smith* may be called (which was done, but she appeared not then) I desire *John Clerke* may be sent for from the Goal.

Capt. Richardson. He is in Execution.

Mr. Baron Weston. For what ?

Capt. Richardson. For Debt.

Mr. Baron Weston. 'Tis not out of the Rules of Prison, you may bring him hither, and 'tis no Escape.

Capt. Richardson. If your Lordship orders it so, I will bring him.

Lord Mayor. She should have brought an *Habeas Corpus* if she would have had him.

Mr. Att. Gen. He must bring him through some part, I suppose, that is not within the Rules, and then it will be an Escape.

Cellier. I pray an *Habeas Corpus* to fetch him.

Mr. Baron Weston. You might have had one before.

Cellier. This is all because I had no time to prepare for my Defence.

Mr. Baron Weston. You might have moved the Court for it ; they granted you a Copy of your Indictment.

Cellier. I had it not till nine a clock to day, and my Counsel could not Inspect it, nor speak a word with me about it.

Lord Mayor. At what time shall we have done, if we dally after this rate ?

Mr. Baron Weston. Have you any blank *Habeas Corpus* ?

Clerk of the Peace. It could not be Seal'd, and besides, they should fetch it out of the *Crown-Office*.

Cellier. I desire to have him come, in order to the Defence of something in my Book.

Mr. Baron Weston. What would he prove ?

Cellier. That I have not belyed the Government.

Mr. Baron Weston. In what ?

Cellier. That he was sheer'd with long Sheers, and unreasonable Irons.

Mr. Collins. You cannot do your self greater wrong than by such talk as this.

Lord Mayor. You are not Indicted for your whole Book, but only for some part of it.

Crier. Here is *Mrs. Smith* now, (*who was Sworn*)

Cellier. What have you heard *Corral* the Coachmon say, about his usage in Prison ?

Mr. Dormar. I think that Question is not to be admitted.

Mr. Baron Weston. What is it you would have her asked ?

Cellier. What she heard the Coachman say, for I only say he told me so.

Mr. Dormar. I am in your Lordships Judgment, I think it is not Evidence.

Mr. Att. Gen. She keeps the Coachman away, and now will tell you what he said.

Mr.

Mr. Baron Weston. That is no Evidence, for the Coachman might have been here, if you had not sent him away.

Cellier. Let his Wife speak that, because she can testify I did not send him away.

Capt. Richardson. She gave them Money before, and told them she would maintain them.

Cellier. You are not an Evidence against me, you are not sworn.

Capt. Richardson. But this that I say is sworn.

Mr. Baron Weston. Call her.

Mr. Att. Gen. Ask her a proper Question to the Issue.

Cellier. I would know of her whether I kept her Husband away.

Mr. Att. Gen. It may be you did it without her knowledge.

Cellier. Have I seen her Husband without her knowledge?

Mr. Baron Weston. Go on with your Witnesses.

Cellier. I desire *Mary Johnson* may be called.

Mr. Baron Weston. For what? What will she prove?

Cellier. That she was to see for Witnesses in order to my Defence.

Mr. Baron Weston. But if they are not come, what signifies that?

Cellier. I have done then my Lord; for not having time to get my Witnesses, I cannot make my Defence so fully, as else I should have done: only I desire you to consider I am a poor ignorant Woman, and have erred out of Ignorance: I thought nothing, but that I might publish what others had said and told me, and so I have offended in Ignorance, if I have offended.

Mr. Baron Weston. I do verily believe there are more Wits than yours concerned in this Book. tho you bear the Name, yet the Book is not the Effect of your Wit only, but you acknowledge enough. And you are to take notice, That the King hath set out a Proclamation, that no Books shall be Printed without a License.

Cellier. I never heard it. I was under close Confinement when the King set it out.

Mr. Baron Weston. No, I deny that, for you were enlarged the first day of *Trinity Term*, and the Proclamation came out towards the end.

Mr. Att. Gen. She now does confess she knows of it, because she speaks of the time, and that was before her Book was written.

Cellier. May not my Counsel speak for me, I desire you would hear him.

Mr. Collins. I have nothing to say for her.

Mr. Baron Weston. He says he hath nothing to say for you.

Mr. Collins. And if you had said less for your self it had been better.

Mr. Baron Weston. The Question is but *Guilty or not Guilty*, Whether you published this Libel or not; and if the Matter of the Indictment be proved, what can Counsel say, except you can disprove the Witnesses, that you did not the Fact?

Cellier. Well my Lord, then I beseech you consider me I am a Woman, and deal with me in Mercy, as well as Justice.

Mr. Baron Weston. Mrs. *Cellier.* I have not been noted to be a Per-

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son

son that use any great severity towards any body, no not towards any of your Party, but when I see so much Malice as is comprized in your Book, and have reason to suspect, that this is not acted only by you, tho you bear the name of it, but some of your wicked Priests are the Authors of it, as I am sure they are, then I think it is not severe that you, who stand at the stake for all, must bear the blame of all. If you will tell us who it was that set you on work, and assisted you in this wicked Business, that will be something towards the mitigation of your Fine, but if you will take it on your self you must suffer the Consequence.

Cellier. I beseech you my Lord have some Compassion; His Majesty acknowledged before the Counsel, that I had suffered for him; I ventured my Life through a Sea and an Army to serve him; I lost my Father and my Brother both in a day for him; and if you have no Compassion for me, have some Commiseration for my Loyal Parents that lost their Estates for him.

Mr. Baron Weston. If you have done Service for His Majesty, and thereby deserved any thing of him, His Majesty hath been so bountiful in the dispensation of his Favour, that he would not fail to recompence you for it; but we are to proceed according to the Rules of Law.

Cellier. But pray have some Mercy in your Justice.

Mr. Baron Weston. Gentlemen of the Jury; This Gentlewoman the Prisoner stands Indicted——

Jury. We have not heard one word that hath been said.

Mr. Baron Weston. No, That is strange, I will acquaint you with as much of the Evidence as falls under my Information: It had been well if you had told us this before: The business is this, She stands Indicted here for Writing and Publishing of a very scandalous Libel. But pray did not you hear *Penny* prove that she sold it?

Jury. We heard the three first Witnesses.

Mr. Att. General. There was the proof of the Fact.

Mr. Baron Weston. The rest of the Evidence was but a Comparison of the Clauses in the Book, with those in the Indictment, which you are to have Direction from the Court in, that they do: She stands Indicted for publishing a Libel, and the Title of the Libel is, *MALICE DEFEATED; Or a brief Relation of the Accusation and Deliverance of Elizabeth Cellier.* Now this Libel branches it self out into several Parts; the first whereof is a very fine Insinuation, as tho her leaving the Protestant Religion, was, because those that Murdered the King, and made that very great Subversion that was made in the Government by the late Long Parliament, and the Army that succeeded them, were Protestants——

Cellier. Pray my Lord, I say, called Protestants.

Mr. Baron Weston. By your favour, she pretends it was by those that were called Protestants, but if they were only those that were called Protestants, and not Protestants, What reason had she to go off from the Protestant Religion, to turn Papist, when there was such a Body of Loyal

Loyal Protestants that did adhere to the Loyal Party? therefore that was as villanous an Insinuation as could be; as tho the Protestant Religion did Nourish and Teach Seditious Principles, which in the consequence of them, tended towards the subversion of the Government and Order, which certainly it does cherish in the highest Degree of any Religion in the World, and hath the most peaceable Principles in matters of Duty, both in subjection to our Superiors, and of a charitable Deportment of Men one towards another: and the practice of those Principles hath been seen amongst Protestants, especially amongst the English Protestants, as much as in any Nation of the World; this may be said of it to this day, for the Reputation of the English Nation, that there is more Fidelity, Honesty, and generous Trust among them, than among all the Nations of the World besides; so that if a man were to go out of *England*, to any other part of the World, he might very well use the words of *Demosthenes*, upon his going out of *Athens*, at his banishment; *Farewell beloved City, I am going into a World, where I shall not find such Friends as I have had Enemies here*; Friends in other places, will be no better than our Enemies here; the Carriage of English-men is so much beyond all others, except the Germans, who, I must confess, are Famed for their Honesty and Integrity one to another; but if you take the *French*, the *Italian*, the *Spaniard*, or any sort of the *Levantine* People, they live like so many Wolves, especially in those places where the Popish Religion is professed. Now after this Insinuation, there is another part of the Book recited in the Indictment, There was an horrid barbarous Murther that was committed here, and which certainly did fix the Accusation of the Plot fuller upon them, than all the Evidence that was given besides: the Murther of Sir *Edmondbury Godfrey*, a Magistrate in doing of his Duty, was most barbarously murdered, and by whom is Evidenced by one *Prance*: it hath been the whole labour of the Party, to cast this Murther upon other persons, and take it off themselves; for they find if that Accusation sticks upon them, it is a thing of so hainous a Nature, that it will make the Popish party odious to all Mankind. And therefore this they labour at mightily, and this Task she hath taken on her self; for knowing *Prance* to be a Principal Witness, she undertakes to let the World know, that *Prance* was tortured in Prison, to Insinuate, that the Evidence he gave against those Persons who were Executed for this Murther, was Extorted from him by ill and cruel usage. But you must first know, the Laws of the Land do not admit a Torture; and since Queen *Elizabeths* time, there hath been nothing of that kind, ever done. The Truth is indeed, in the 20th year of her Reign, *Campion* was just stretch'd upon the Rack, but yet not so, but that he could walk; but when she was told it was against the Law of the Land, to have any of her Subjects Racked, (tho that was in an extraordinary Case, a world of Seminaries being sent over to contrive her death, and she lived in continual danger) yet, it was never done after to any one, neither in her Reign; who Reigned 25
yea

years after, nor in King *James's* Reign, who Reigned 22 years after; nor in King *Charles* the First Reign, who Reigned 24 years after; and God in Heaven knows, there hath been no such thing offered in this Kings Reign, for I think we may say, we have lived under as lawful and merciful a Government as any People whatsoever, and have had as little Blood shed, and Sanguinary Executions as in any Nation under Heaven. Well, but (contrary to the Law in this Case) she does suppose Extraordinary Ways were used to make *Prance* give this Evidence. She says, she thought what she first heard was the noise of a Woman with Child, and that *Harris* the Turnkey did tell her it was a Woman in Labour, but when she desired to be let in to help her, he turned her away rudely; but listening, she perceived it was the Groans of a Strong Man that must be in Torture: She asked some of the Goalers what was the Matter? They told her, They durst not tell her, but it was something they could not endure; and they heard him Cry, What would you have me Confess? Would you have me Bely my self? I know nothing of it, and such words as these. Whereupon we have called *Prance*, and here, upon his Oath, he tells you, there was no such matter: that he was used very kindly, had all things fitting, and under no Compulsion, so that this is an high Libel against the Government. She says furthermore, there was one *Corral* a Coachman that was imprisoned by the means of one *Fowler* for the Murther of Sir *Edmundsbury Godfrey*, that there was a Nobleman a Duke, came to him in Prison, and drew his Sword at him, and would have him Confess, That another Nobleman laid down a Sum of Mony, and said it was 500 l. and told him, if he would Confess, he should have it; and that *Fowler* took him aside, and bid him lay it upon some Body else, and then he and *Fowler* should have Money enough. *Fowler* being examined, and, upon his Oath, tells you, upon what Accompt he did Charge *Corral*; he tells you, he was never with *Corral* in the Goal in his Life, and never was with him in the presence of any Duke or Nobleman, but once in a Room, where *Corral* was brought to be Examined, and then there was the Duke of *Buckingham*, the Marquis of *Winchester* (who I never heard was a Man of Cruelty, or Harsh Nature) my Lord *Shaftsbury*, and Major *Wildman*, who was Secretary, but there was no such cruel Usage there, and he was never in the Prison with such Noblemen; and then the Consequence is, that the whole Story is false. *Corral* it seems, my Lord Mayor says, hath been Examined to this Point, and denies it all; and is kept out of the way, that he should not give it in Evidence here: but if we had him here it were no great matter, for if there were any thing of this nature true, they are to proceed in a Legal way against them that make these Transgressions of the Law, She ought to have Indicted the Persons, for they are highly punishable for such Extravagances as these are. But there is nothing done in that kind, but in stead of that, she hath Defamed them all in a *Libel*, and she is not contented to have done that neither, for she hath Defamed the King highly

highly in His Government, and said, she could have Written more. I pass over the Business that concerns *Dangersfield*, wherein she complains, that *Dangersfield* had more Friends, and was visited more by Persons of Quality, when she had none came to her; every one is Visited according to the Interest they have in the World, and the Friends they make: I have nothing to say to that, there is not so much in it, but come to that part wherein she scandalizes the King, which is this, she says, *Whenever His Majesty shall please to make it as Safe, and Honorable, to Speak the TRUTH, as it is Apparent, it hath been Gainful, and Meritorious to do the Contrary, their Villany will not want Witnesses to testify the truth of more then she had Written.*

So that she supposes, that the King, by the Countenancing of Lyes, and giving Pensions to Lyers, Chokes the Truth, and makes it Dangerous for those that know the Truth, to divulge it to the World, which is a very Vile Scandal upon the King and the Government. These are the Matters of the *Libel*, and the things in Proof have been Sworn by Three Witnesses; one proves, That he went to her to Buy one of her Books, and he asked her for One, and she gave him a Book which bears that Title Page that you hear in the *Indictment*, Superscribed with her Name, and she gives it as her Book. Now she would Evade it thus, That she gave it as hers, not as though she were the Author, but as if it were hers only in Property: But, Can any such thing be thought the Meaning of her Words? or, Can there be any Greater Evidence that she is the Author of the Book, then her publishing of it with her Name to it? but the Fellow goes further, and tells you, When he had the Book he turned about, and Asked her, if it were her Book? Yes, she said it was: and, said she, I could have Writ a great deal more, if I would; So that her saying, She could have Writ more, Implies, that she Writ that; and (*more*) is a Word of Comparison, which always supposes the Positive Proposition. The next is the Printer, who tells you, that he Printed the first 22 *Folio's*, within which, the greatest part of this Charge, except only that last about the King, is contained. He tells you, That she sent for him, and employed him to Print it as hers; Agreed with him for Ten shillings a Ream for the Printing, and that he did Print the first 22 Leaves at her Request; and as Employed by her: *Fowler* tells you, He bought 2 of the Books of her; and these are the Witnesses of the Publication of this Book. I must tell you this, The Clauses in the *Libel* are truly set down in the *Indictment*, for I did Examine them one by one. Now whether or no you can doubt she was the Author of the Book, when in a manner she did own it at the Publication, by Selling it as hers, I leave to you, though I must tell you plainly, I leave it as that which is to me under the Notion of Express Evidence; but I must leave it to you as Judges of the Fact, and expect your Verdict in the Case.

I

Mr. Attor.

Mr. Att. Gen. There are three things in the Indictment ; *First* That she Writ it : *secondly*. That she caused it to be Printed ; And *Thirdly*, That she caused it to be Published. Now, if you find any one of these , she is Guilty of so much at least , tho I think you have heard Evidence enough for all. She told him, It was hers, and said, She could have put more in ; and the Selling the Book is a Publication. So that if you be not satisfied she was the Author, yet if you are satisfied she caused it to be Printed, or if you are not satisfied in that, yet if you are satisfied she caused it to be Published , you are to find her Guilty of so much.

Cellier. The Printer does not say I Writ it.

Mr. Att. Gen. But he does say you gave it him as yours , and to you the Sheets were sent to be Corrected.

Then the Jury desired they might have the Book with them.

Mr. Clare. My Lord, the Jury wants the Book that was Sworn to.

Mr. Baron Weston. They can have no Papers, without Agreement, neither the Book, nor any Paper else.

Mr. Att. Gen. Not unless she will consent to it. Mrs. Cellier, Will you Consent that they shall have the Book out with them?

(To which, after some Pause, she answered, No.)

Mr. Baron Weston. Then they cannot have it by Law.

Then the Jury Withdrew for a little, and Returned.

Clerk of the Crown. How say you, Is Elizabeth Cellier Guilty of the Writing, Printing, and Publishing of the Libel for which she stands Indicted, or not Guilty?

Foreman. Guilty. *(At which there was a Great Shout.)* And the Verdict was Recorded.

Mr. Baron Weston. She must stand Committed to receive the Judgment of the Court.

Cellier. Will you give me leave to speak a VVord now?

Mr. Baron Weston. I cannot give you any Judgment, for by the Custom of the City, that is to be done by the Recorder or his Deputy, and so, what you will say to the Court, you must say to them, that will be on Monday when the Sessions is done.

Cellier. What I would say is only this, That I am a Woman, and wherein I offended, I offended out of Ignorance, and did not know it was an Offence, and if the Offence be mine, let not others suffer for me. Have Mercy in Judgment, and consider my Loyal Parents and Relations, and the Services they did His Majesty ; and let this Fault be wiped out by that Service and Duty I and they paid Him ; or at leastwise, let the punishment for this Offence be mitigated, in Consideration, that all my life, ever since I had the first use of Reason, I have been a Loyal Subject.

Mr. Baron Weston These are things that will be considered on Monday, but we can't take consideration of it now.

Cellier. I will go away then, and come again on Monday.

Mr. Baron Weston. No, you are to be committed till then.

And

And so the Keeper carried her back to *Newgate*, from whence on Monday the 13th of *September*, she was brought to the Bar to receive her Judgment, which Mr. Recorder gave thus,

Mrs. Cellier.

Mr. Record. **T**He Court doth think fit for Example sake, that a Fine of One thousand pounds be put upon you; That you be Committed in Execution, till that thousand pounds be paid; And because a Pecuniary Mulct is not a sufficient Recompence to Justice, which you have offended; the Court doth likewise Pronounce against you, That you be put on the Pillory three several days, in three several publick Places; In the first place, in regard her braided Ware received its first Impression and Vent at her own House, It is thought fit that she stand (as near her own House as conveniently can be) between the hours of Twelve and One, for an hours space at the *May-pole* in the *Strand*, on the most Notorious day, I think there is a Market near that Place, let it be on that day. At another time, That she stand in *Covent-Garden* on a Publick day, the like space of time, A Third time, that she stand
at

at *Charing-Cross* on the most Publick day, for the space of an hour. And in the next place, That she find Sureties for the good Behaviour during her Life ; and in every place where she shall Stand on the Pillory , some Parcels of her Books, shall, in her own view, be burnt by the Hands of the *Common Hangman*, and a Paper of the Cause, to be put upon the Pillory.

Then the Court charged the Sheriff, That he take Care in every Place for a sufficient Guard, that the Peace may be kept, and she was returned to the Goal.

Whereas

Whereas in a Narrative, or Printed Book,
or Libel called, *Malice Defeated*, or a
brief Relation or Accusation of the De-
liverance of *Elizabeth Cellier*.

I T is amongst other things in Page the Third and Fourth of the said Book written as followeth (viz.) Soon after this Francis Corral a Coachman, that had been put into Newgate upon suspicion of carrying away Sir Edmond-Bury Godfrey's Body, and lay there thirteen Weeks and three days in great Misery, got out; I went to see him, and found him a sad Spectacle, having the flesh worn away, and great holes in both his Legs by the weight of his Irons, and having been Chained so long doubled, that he could not stand upright, he told me much of his hard and cruel usage, as that he had been Squeez'd and hasped in a thing like a Trough, in a Dungeon under ground; which put him to inexpressible torment, insomuch that he swooned, and that a Person in the habit of a Minister stood by all the while. That a Duke beat him, pull'd him by the Hair, and set his drawn Sword to his breast three times, and swore he would run him through; and another great Lord laid down a heap of Gold, and told him it was five hundred Pounds, and that he shall have it all, and be taken into the aforesaid Dukes house, if he would confess what they would have him; and one F. a Vintner, that lives at the sign of the Half-moon in Ch.-fi. by whose contrivance he was accus'd, took him aside, and bid him name some person, and say, they employ'd him to take up the dead body in Somerset-yard, and gave him money for so doing; that if he would do this, both F. and he, should have money enough. He also told me, that he was kept from Thursday to Sunday without victuals or drink, having his hands every Night Chain'd behind him, and being all this time lock'd to a Staple which was driven into the Floor, with a Chain not above a yard long: that in this great extremity, was forc'd to drink his own water; and that the Faylor beat his Wife, because she brought victuals, and prayed that he might have it, and threw Milk on the ground, and not look at him, &c. For the Readers farther satisfaction of his great and Cruel suffering, I refer to the Party himself now living in Gunpowder-Alley in Shoe-Lane, and well known by his Misfortunes.

I Francis Corral of Gunpowder-Alley in Shoe-Lane, being the Person before named, Make Oath that Mrs. Cellier was never with me in the Prison of Newgate, and that I never told her there, nor any where else, that ever I was Chained so long double that I could not stand upright, nor never told her that I had any hard or cruel Usage there, nor that I was ever Squeezed or Hasped to a thing like a Trough

in a Dungeon under ground which put me to Torment, nor that I Swooned, nor that a Person in the Habit of a Minister stood by me at any time whilst in the Prison, except when I went into the Chappel to Prayers; Nor that any Duke beat me, pull'd me by the Hair, or set his drawn Sword to my breast three times, or Swore that he would run me through; Nor that any great Lord laid down a heap of Gold, and told me it was five hundred Pounds, and that I should have it all, and be taken into the aforesaid Dukes house if I would Confess what they would have me; Nor that *F.* a Vintner that lives at the Sign of the half-Moon in *Cheapside* did take me aside, and bid me name some Person, and say they employed me to take up the Body in *Somerset-yard*, and gave me Money for so doing, That if I would do this, both *F.* and I should have Money enough; Nor did I ever tell her that I was kept from *Thursday* to *Sunday* without Meat and Drink; Nor were my hands ever Chained behind me; Nor was I ever locked to a Staple driven into a Floor with a Chain nor above a yard long, but what she hath written in her said Book or Libel is notoriously false and untrue; but on the contrary, during the time of my Imprisonment I was Civilly Treated by the Keeper and his Servants.

Jur. 6. Sept. 1680.

Francis Corral.

Coram me

Robert Clayton Mayor.

I *Margaret*, the Wife of the said *Francis Corral*, make Oath, That the said Goaler never beat me because I brought Victuals and pray'd that my Husband might have it; nor threw any Milk on the Ground; nor bad me be gone and not look upon him. Neither do I know, or believe, that my Husband had any hard usage from any of the Keepers during his Imprisonment; but on the contrary, was Civilly treated by them.

This Deponent farther maketh Oath, That on *Thursday* last She went with her Husband to Mrs. *Cellier's* House; and her Husband asked her, what She meant by putting such a Company of Lyes upon him in her Book. She answered, She had a mind to do it, and that if some of them were Lyes all were not. He told her, that she would ruin him, and bring him to a Prison as he was before. She answered, That if he were Arrested, She would Bail him; and if he were cast into Prison, She would maintain both him and his Family, for that She had got Money enough, and that She would have me to a Lord or Lords that would secure him, and bid me cheer up my Husband, for that neither I nor my Family should want, and gave me then Five Shillings, and bid me cheer up my Husband with that.

Jur. 6. Sep. 1680.

Sig.

Coram me

Margaret Corral.

Robert Clayton Mayor.

I *Francis Corral* within Named, further make Oath, That on *Thursday* last, I went with my Wife to Mrs. *Celliers* House, and asked her what She meant by putting such a Company of Lyes upon me in her Book. She answered, that She had a mind to do it, and that if some of them were Lyes, all were not. I told her, She would ruine me, and bring me into a Prison, as I was before. She told me, if I were Arrested, that She would Bail me; and if were cast into Prison, She would maintain me and my Family; For that She got Money enough, and that She would have me to a Lord or Lords that would secure me. And She bid my Wife to cheer me up, for that neither I, nor my Family should want, and gave my Wife Five Shillings, and bid her cheer me up with that.

Jur. 6. die Sep. 1680.

Francis Corral.

Coram me,

Robert Clayton Mayor.

I *Matthias Fowler*, living at the half-Moon in *Ch-f.* Vintner, make Oath, That I never saw any Duke or Lord with *Francis Corral*, in this Paper mentioned, in *Newgate*; Nor did I ever see any Duke beat him, or set a Sword to his Breast; Nor did I ever see any Lord lay down a heap of Gold, and tell the said *Corral* it was five hundred pounds, and the said *Corral* should have it, if he would Swear what the Duke and Lord would have him. Nor did I ever take him a-fide, and bid him Name some Person, and say, they employ'd him the said *Corral* to take up the dead Body of *Sir Edmund-Bury Godfrey's* in *Summer-set-Yard*, and gave him Money for so doing, and that if he would do this, both he and I should have Money enough. But that the same is Notoriously false and untrue.

Jur. 8. die Sep. 1680.

Matthias Fowler.

Coram me

Robert Clayton Mayor.

F I N I S.